

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 12-01-10**

Date Published: January 5, 2012  
For Work Week Commencing: January 9, 2012  
Commission Meeting: January 10, 2012, 9:00 a.m.

General Introduction *This agenda is the Commission's agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website at <http://psc.mt.gov> (go to "Agendas & Meetings" then "Audio/Video Archives"). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes (Aleisha)

Approval of the Commission Minutes for the week of January 2, 2012

2. Floater Shuttle Service LLC TN2524 (Nickie)

Floater Shuttle Service, LLC, Bozeman, Montana requests permission to suspend PSC No. 9463 for a six month period, January 11, 2012 to July 11, 2012. Probable Motion: Approve the suspension of PSC No. 9463 as requested.

Class B – Passengers between the Fish Wildlife and Parks access site located at Black’s Ford and Bureau of Land Management use area, Warm Springs, on MT Route 84.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. D2008.1.6 – CenturyLink d/b/a Qwest non-compliance with PSC FO No. 6889n – Appendix F – DSL Investment Plan – Discuss possible actions regarding Qwest’s non-compliance with the DSL deployment plans as outlined in Appendix F of Final Order 6889n. (1/10/12)
2. CenturyLink d/b/a Qwest St. Mary DSL deployment – Receive approval to file comments with the National Park Service regarding CenturyLink DSL deployment in St. Mary. (1/10/12)
3. Compliance with 69-12-328 MCA – Discuss issuance of grandfather charter certificates. (1/10/12)
4. Placeholder - D2011.4.34 – AquaFlo, LLC – General Rate Case – Discuss and act on objections to data requests. (1/10/12)
5. Out-of state staff travel – Obtain approval of Dave Jackson’s travel to Seattle WA, Feb. 21-24, 2012, for rail safety training required for his certification. (1/10/12)

**Other Meetings**

**1/12/12 – 12:00 p.m. – 1:30 p.m. – NRRI teleseminar, “Jurisdiction over the U.S. Industry: Find out Who’s Doing What to Whom” (Commission Conference Room – no web audio feed)**

**1/13/11 – 9:00 a.m. – 4:30 p.m. – Energy & Telecommunications Interim Committee meeting (State Capitol Room 172)**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. NorthWestern Energy N2011.12.101 (Dagan)

NorthWestern Energy (NWE) has submitted revised Propane utility rules for approval by the Montana Public Service Commission. The propane rules have been revised to provide clarity and correction of language regarding the income tax surcharge on advances or contributions. These revisions are necessary so that the tariff sheets properly reflect current circumstances and are consistent with other rules that have been previously approved.

2. Qwest Corporation d/b/a CenturyLink D2006.3.41 (Mike)

CenturyLink/Montana Opticom, LLC

Qwest Corporation dba CenturyLink has filed a Consolidation Amendment to the Wireless Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Montana Opticom LLC. (“Surviving Entity”), Lightnexus fka Vivid Networks, Inc. and Bridgeband Communications, Inc. (“Merging

Entities”), for the State of Montana. Montana Opticom has requested from CenturyLink that the Surviving Entity be allowed to operate under one Interconnection Agreement, the Surviving Entity Interconnection Agreement as identified on Attachment B of the filing, but continue placing orders utilizing the separate codes of the Merging Entities instead of combining all facilities under a single code. Any other Interconnection Agreements previously used by the Merging Entities, shall immediately terminate. This amendment was voluntarily negotiated by the parties involved.

3. NorthWestern Energy N2011.12.102 (Mike)

On December 12, 2011, NorthWestern Energy (NWE) filed revisions to its Electric tariff sheets to reflect the following:

- 1) Removal of references to “Default” and replacement of these references with “Electricity” to be consistent with House Bill 25; and
- 2) Revisions to provide clarity and correction of language regarding the income tax surcharge on advances or contributions.

NWE believes these revisions are necessary so that these tariff sheets properly reflect current circumstances and are consistent with other tariff sheets that have been previously approved.

4. NorthWestern Energy N2011.12.100 (Neil)

On December 9, 2011, NorthWestern Energy (NWE) submitted revised natural gas utility rules and tariffs. The rules and tariffs were revised to replace all references to the Montana Power Company with references to NorthWestern Energy, and to clarify and correct language regarding the income tax surcharge on advances and contributions. NWE believes the revisions are necessary to reflect current circumstance and to make these rules and tariffs consistent with previously approved rules and tariffs.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may be viewed on the Commission’s web site at <http://psc.mt.gov>

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

N2012.1.1 - PSC Initiated - Renewable Portfolio Standard Compliance Reporting - 2012